

Senate Bill No. 513

CHAPTER 199

An act to amend Sections 340, 8023, 9340, and 10400 of, and to repeal Section 315 of, the Elections Code, relating to elections.

[Approved by Governor September 10, 2007. Filed with
Secretary of State September 10, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 513, Committee on Elections, Reapportionment and Constitutional Amendments. Voting and district referenda.

(1) Existing law permits the use of various voting systems, including punchcard voting systems, and defines the word “demonstrator” to mean a model or facsimile of the voting device or the portion of the face of the voting machine that shows the voter how to operate the machine.

This bill would delete the definition of “demonstrator” from these provisions.

(2) Under existing law, the presidential primary election is held on the first Tuesday in February in any year evenly divisible by the number 4.

This bill would make conforming changes to statutes relating to the presidential primary election.

(3) Existing law requires that except in the case of a judicial office filled in accordance with subdivision (d) of Section 16 of Article VI of the Constitution, every candidate for judicial office shall file a written and signed declaration of intention to become a candidate.

This bill would declare that no candidate for judicial office would be required to state his or her residential address on the declaration of intention, so long as the address is provided to an elections official for verification.

(4) Existing law requires that a copy of each declaration of intention filed by a candidate for judicial office shall be immediately forwarded by the elections official to the Secretary of State.

This bill would delete that requirement.

(5) Existing law allows voters of any district that is a local public entity, as defined, to petition for a referendum on legislative acts of the district, as specified. Existing law specifies the form for a proposed referendum measure against an ordinance passed by a county board of supervisors.

This bill would specify the form for a proposed referendum measure against an ordinance passed by a district that is a local public entity, as defined.

The people of the State of California do enact as follows:

SECTION 1. Section 315 of the Elections Code is repealed.

SEC. 2. Section 340 of the Elections Code is amended to read:

340. "Presidential primary" is the primary election that is held on the first Tuesday in February in any year which is evenly divisible by the number four, and at which delegations to national party conventions are to be chosen.

SEC. 3. Section 8023 of the Elections Code is amended to read:

8023. (a) Except in the case of a judicial office filled in accordance with subdivision (d) of Section 16 of Article VI of the Constitution, every candidate for a judicial office, not more than 14 nor less than five days prior to the first day on which his or her nomination papers may be circulated and signed or may be presented for filing, shall file in the office of the elections official in which his or her nomination papers are required to be filed, a written and signed declaration of his or her intention to become a candidate for that office on a form to be supplied by the elections official. A candidate for a numerically designated judicial office shall state in his or her declaration for which office he or she intends to become a candidate.

(b) No person may be a candidate nor have his or her name printed on any ballot as a candidate for judicial office unless he or she has filed the declaration of intention provided for in this section. If the incumbent of a judicial office fails to file a declaration of intention by the end of the period specified in subdivision (a), persons other than the incumbent may file declarations of intention no later than the first day for filing nomination papers.

(c) Declarations shall be in substantially the following form:

"I hereby declare my intention to become a candidate for the office of ____ (name of office and district, if any) at the ____, 2____ election."

No candidate for a judicial office shall be required to state his or her residential address on the declaration of intention. However, if the address is not stated on the declaration of intention, the address must be provided to the elections official for verification.

(d) This section shall apply to all judicial offices whether numerically designated or not.

SEC. 4. Section 9340 of the Elections Code is amended to read:

9340. The voters of any district that is a local public entity as defined by Section 900.4 of the Government Code, and to which Section 9300 applies, shall have the right to petition for referendum on legislative acts of the district in the same manner and subject to the same rules as are set forth in Sections 9141, 9142, 9143, 9144, 9145, 9146, and 9147, except that all computations referred to in those sections and officers of the county mentioned in those sections shall be construed to refer to comparable computations and officers of the district.

SEC. 5. Section 10400 of the Elections Code is amended to read:

10400. Whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated pursuant to this chapter upon the order of the governing body or bodies or officer or officers calling the elections.

The elections, whether held under a freeholder charter or under any state law, or both, may be consolidated, and different elections called by the same governing body may be consolidated.

O